

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DUANE L. CHRISTENSEN,)
)
 Plaintiff,) 8:04CV633
)
 v.)
)
 THE QWEST PENSION PLAN,)
 et al.,) ORDER
)
 Defendants.)

Upon consideration of the plaintiff's motion for leave to file amended complaint, I note that the motion is untimely and does not appear germane to the original complaint, in that it adds a party and seeks relief not provided under ERISA.

IT THEREFORE HEREBY IS ORDERED, the motion, filing 38, is denied.

Dated May 24, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge